



General Assembly

**Substitute Bill No. 195**

February Session, 2010

\* \_\_\_\_SB00195PS\_\_\_\_030910\_\_\_\_ \*

**AN ACT CONCERNING THE DESIGNATION OF REGIONAL FIRE SCHOOLS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 3-123e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 The Comptroller shall disburse to any [regional fire school,] regional  
4 emergency dispatch center or any state or county-wide fire radio base  
5 network, in the form of a grant, such funds as may be appropriated to  
6 the Comptroller for the purposes of such [fire school,] emergency  
7 dispatch center or fire radio base network. Each such grant shall be  
8 disbursed in equal quarterly amounts at the beginning of each quarter  
9 of the state fiscal year. After the close of each fiscal year, each such [fire  
10 school,] emergency dispatch center or fire radio base network shall  
11 submit to the Comptroller, through the Connecticut State [Firemen's]  
12 Firefighter's Association, an audited report concerning the  
13 disbursement of such grant funds.

14 Sec. 2. Section 4-107a of the general statutes is repealed and the  
15 following is substituted in lieu thereof (*Effective October 1, 2010*):

16 (a) On or before November first, annually, each fire training school  
17 which received state funds for the current fiscal year shall submit a  
18 report, through the Connecticut State [Firemen's] Firefighter's

19 Association, to the joint standing committee of the General Assembly  
20 having cognizance of matters relating to appropriations and the  
21 budgets of state agencies, through the legislative Office of Fiscal  
22 Analysis. The report shall set forth, in a form prescribed by said office,  
23 a detailed statement of (1) any expenditures of state funds during the  
24 previous fiscal year, (2) estimated expenditures of state funds during  
25 the current fiscal year, and (3) state funds requested for the following  
26 fiscal year.

27 (b) On or before November first, annually, each emergency  
28 communications center which received state funds for the current  
29 fiscal year shall submit a report, through the Connecticut State  
30 [Firemen's] Firefighter's Association, to the joint standing committee of  
31 the General Assembly having cognizance of matters relating to  
32 appropriations and the budgets of state agencies, through the  
33 legislative Office of Fiscal Analysis. The report shall set forth, in a form  
34 prescribed by said office, a detailed statement of (1) any expenditures  
35 of state funds during the previous fiscal year, (2) estimated  
36 expenditures of state funds during the current fiscal year, and (3) state  
37 funds requested for the following fiscal year.

38 Sec. 3. Section 7-323k of the general statutes is repealed and the  
39 following is substituted in lieu thereof (*Effective October 1, 2010*):

40 (a) There is established a Commission on Fire Prevention and  
41 Control to consist of twelve members appointed by the Governor. The  
42 State Fire Marshal or [his] a designee and the chancellor of the  
43 community-technical colleges or [his] a designee shall serve as ex-  
44 officio, voting members of said commission. Of the twelve members  
45 appointed by the Governor, two shall represent The Connecticut State  
46 [Firemen's] Firefighter's Association, two shall represent the  
47 Connecticut Fire Chiefs Association, two shall represent the  
48 Uniformed Firefighters of the International Association of Firefighters,  
49 AFL-CIO, two shall represent the Connecticut Fire Marshals  
50 Association, two shall represent the Connecticut Fire Department  
51 Instructors Association and two shall represent the Connecticut

52 Conference of Municipalities.

53 (b) On or before July fifteenth, annually, each organization to be  
54 represented on said commission shall submit to the Governor a list of  
55 nominees for appointment to said commission, which list the Governor  
56 may use when making [his] the appointments to said commission. On  
57 or before September 1, 1975, the Governor shall appoint eight members  
58 of said commission to serve for a term of three years and on or before  
59 September 1, 1976, [he] the Governor shall appoint four members for a  
60 term of one year. Thereafter [he] the Governor shall appoint members  
61 to said commission, to replace those whose terms have expired, to  
62 serve for three years. Persons appointed to said commission shall be  
63 qualified, by experience or education, in the fields of fire protection,  
64 fire prevention, fire suppression, fire fighting and related fields.

65 (c) The commission shall meet at such times and at such places as it  
66 deems proper. Said commission shall elect from its membership a  
67 chairman, vice chairman and secretary who shall serve a one year term  
68 commencing on October first of the year in which they are elected,  
69 provided nothing contained herein shall prevent their reelection to  
70 such office. No member of said commission shall receive compensation  
71 for [his] such member's services.

72 (d) Members of the commission shall not be considered as holding  
73 public office solely by virtue of their membership on said commission.

74 (e) The commission shall be within the Department of Public Safety  
75 for administrative purposes only.

76 Sec. 4. Section 28-14 of the general statutes is repealed and the  
77 following is substituted in lieu thereof (*Effective October 1, 2010*):

78 (a) All members of any auxiliary police, auxiliary fire or other civil  
79 preparedness force shall be compensated for death, disability or injury  
80 incurred while in training for or on civil preparedness duty under the  
81 provisions of this chapter as follows: (1) Employees of the state,  
82 municipalities or political subdivisions of the state who are members

83 of civil preparedness forces and for whom such compensation is  
84 provided by any provision of existing law shall be construed to be  
85 acting within the scope of their employment while in training for or  
86 engaged in civil preparedness duties and shall be compensated in  
87 accordance with the provisions of chapter 568, section 5-142 or any  
88 special act concerning compensation to certain employees: Regular  
89 [policemen or firemen] police officers or firefighters who are members  
90 of the State Police Association or the State [Firemen's] Firefighter's  
91 Association shall be construed to be acting within the scope of their  
92 employment while in training for or engaged in civil preparedness  
93 duties and shall be entitled to all the benefits as members of said  
94 associations; (2) any persons who are engaged in regular employment  
95 apart and separate from their duties as members of civil preparedness  
96 forces and for whom such compensation is not so provided shall, while  
97 in training for or engaged in civil preparedness duty under the  
98 provisions of this chapter, be construed to be employees of the state for  
99 the purposes of chapter 568 and section 5-142 and shall be  
100 compensated by the state in accordance with the provisions of said  
101 chapter 568 and section 5-142. For the purposes of this subsection, the  
102 average weekly wage, as said term is used in said chapter 568, shall be  
103 ascertained by dividing the total wages received by the injured person  
104 from all employers during the twenty-six calendar weeks immediately  
105 preceding that in which [he] such person was injured by the number of  
106 calendar weeks during which, or any portion of which, such person  
107 was actually employed, but, in making such computation, absence for  
108 seven consecutive calendar days, though not in the same calendar  
109 week, shall be considered as absence for a calendar week. For the  
110 purpose of determining the amount of compensation to be paid in the  
111 case of a minor under the age of eighteen years who has sustained an  
112 injury entitling [him] such person to compensation for total or partial  
113 incapacity for a period of fifty-two or more weeks, or to specific  
114 indemnity for any of the injuries enumerated in section 31-308, fifty  
115 per cent may be added to the average weekly wage. When the injured  
116 person is a trainee or apprentice receiving a subsistence allowance  
117 from the United States because of war service, such allowance shall be

118 added to [his] such person's actual earnings in determining the  
119 average weekly wage. All claims under this subsection shall be  
120 determined according to the procedures specified in chapter 568. For  
121 the purpose of this subsection, no person shall be considered regularly  
122 employed unless [his] such person's total employment previous to  
123 injury as provided above exceeds a net period of thirteen calendar  
124 weeks; (3) any member of the civil preparedness forces not covered in  
125 subdivision (1) or (2) hereof, for disability or injury incurred while in  
126 training or on civil preparedness duty under the provisions of this  
127 chapter, or [his] such member's dependents in the event of [his] such  
128 member's death while in such training or on such civil preparedness  
129 duty, shall be compensated by the state in such amount as is  
130 determined to be just and reasonable by the compensation  
131 commissioner for the district in which such member resides or resided,  
132 provided a claim shall be made in writing to the commissioner for the  
133 district in which the claimant resides within one year from the date of  
134 injury or death. In no event shall such amount exceed the maximum  
135 payments provided in chapter 568 or be less than the minimum wage  
136 as determined by the Labor Commissioner for a period of recovery  
137 from injury to be determined by such compensation commissioner.

138 (b) Any sums payable under any Act of Congress or other federal  
139 program as compensation for death, disability or injury of civil  
140 preparedness workers shall be deducted from the amount payable  
141 under subsection (a) of this section.

142 Sec. 5. Section 3-123 of the general statutes is repealed and the  
143 following is substituted in lieu thereof (*Effective October 1, 2010*):

144 Whenever a person, under the provisions of the constitution and  
145 bylaws of The Connecticut State [Firefighters] Firefighter's Association,  
146 is entitled to relief from said association, as a firefighter injured in the  
147 line of duty, or rendered sick by disease contracted while in the line of  
148 duty, or as the widow or child of a firefighter killed in the line of duty,  
149 the Comptroller shall, upon the delivery to [him] the Comptroller of  
150 proper proofs from said association of the right of such person to relief

151 as aforesaid, draw [his] an order upon the Treasurer in favor of the  
152 person or persons entitled to such relief, or their legal representative,  
153 for the amount to which such person or persons are entitled as relief as  
154 aforesaid, provided such orders shall be limited to available  
155 appropriations.

156 Sec. 6. (NEW) (*Effective October 1, 2010*) (a) No regional fire school  
157 shall be established without the approval of the Commission on Fire  
158 Prevention and Control, in consultation with the Connecticut State  
159 Firefighter's Association. Any entity that seeks to establish a regional  
160 fire school shall submit an application to the commission. Not later  
161 than sixty days after such submission, the commission, in consultation  
162 with the Connecticut State Firefighter's Association, shall approve or  
163 deny such application.

164 (b) The commission may, in consultation with the Connecticut State  
165 Firefighter's Association, suspend or revoke the approval of any  
166 regional fire school that fails to meet the standards established by the  
167 commission in accordance with section 7-323/ of the general statutes, as  
168 amended by this act or any regulations adopted in accordance with  
169 subsection (d) of this section, provided no regional fire school  
170 established prior to October 1, 2010, may have its approval suspended  
171 or revoked under this section. Any regional fire school that has had its  
172 approval revoked or suspended may request a hearing, not later than  
173 ten days after receiving the notice of such revocation or suspension.  
174 Upon request, a hearing shall be held in accordance with chapter 54 of  
175 the general statutes not later than thirty days after the commission's  
176 receipt of such request. Any appeal of such revocation or suspension  
177 shall be in accordance with section 4-183 of the general statutes.

178 (c) The commission shall disburse to the regional fire schools in the  
179 form of a grant any funds appropriated to the commission for the  
180 purposes of the regional fire schools. Not later than June 30, 2011, and  
181 annually thereafter, each regional fire school shall submit an audited  
182 report concerning the use of such funds to the Connecticut State  
183 Firefighter's Association. The association shall provide the commission

184 with a copy of such report.

185 (d) The commission shall adopt regulations in accordance with the  
186 provisions of chapter 54 of the general statutes to implement the  
187 provisions of this section.

188 Sec. 7. Section 7-323l of the general statutes is repealed and the  
189 following is substituted in lieu thereof (*Effective October 1, 2010*):

190 (a) The commission shall:

191 (1) Recommend minimum standards of education and physical  
192 condition required of each candidate for any firefighter position;

193 (2) Establish standards for a fire service training and education  
194 program, on a voluntary basis, and develop and conduct an  
195 examination program to certify those fire service personnel who  
196 satisfactorily demonstrate their ability to meet the requirements of the  
197 fire service training and education program standards;

198 (3) Conduct fire fighting training and education programs designed  
199 to assist firefighters in developing and maintaining their skills and  
200 keeping abreast of technological advances in fire suppression, fire  
201 protection, fire prevention and related fields;

202 (4) Recommend standards for promotion to the various ranks of fire  
203 departments;

204 (5) Be authorized to apply for, receive and distribute any state,  
205 federal or private funds or contributions available for training and  
206 education of fire fighting personnel; [and]

207 (6) Approve or reject the establishment of or, when appropriate,  
208 suspend or revoke the approval of, regional fire schools in accordance  
209 with section 6 of this act; and

210 ~~[(6)]~~ (7) Submit to the Governor and Joint Legislative Management  
211 Committee of the General Assembly an annual report relating to the

212 activities, recommendations and accomplishments of the commission.

213 (b) The commission may adopt regulations, in accordance with the  
214 provisions of chapter 54, as are necessary to implement the provisions  
215 of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	3-123e
Sec. 2	<i>October 1, 2010</i>	4-107a
Sec. 3	<i>October 1, 2010</i>	7-323k
Sec. 4	<i>October 1, 2010</i>	28-14
Sec. 5	<i>October 1, 2010</i>	3-123
Sec. 6	<i>October 1, 2010</i>	New section
Sec. 7	<i>October 1, 2010</i>	7-323l

**PS**            *Joint Favorable Subst.*